

allowing economic competitors to offer fewer benefits, the federal government is using its power to favor one business over another.

For example:

Contractor A pays \$1000 per month for ACA health care for 10 employees = \$10,000 per month.

Contractor B pays \$200 per month for Assoc. Health Plan for 10 employees = \$2,000 per month.

Contractor A and Contractor B bid on the same project that takes one month to compete.

Under this scenario, all other things being equal, Contractor A has to bid the project \$8,000 higher than Contractor B and would lose the job to Contractor B due to federal government health care rules.

Lastly, the U. S. Department of Labor should hold off on issuing final Association Health Plan rules until the agency releases data on fraud and abuse by Multiple Employer Welfare Arrangements (MWEA). The public, and MMCA contractors, need better data on the prevalence of fraud and abuse by MEWAs in order to properly evaluate the effect of these proposed rules.

It is MMCA's position that the U. S. Department of Labor should not allow some employers an escape hatch from the ACA. The Proposed Rules economically disadvantage one set of construction companies over another set of construction companies and picks winners and losers in the market place. This should not happen. At the very least, due to the constant competitive bidding of construction companies, these Association Health Plan rules should not apply to construction companies (North American Industry Classification System, Division C, Codes 15-17).

Sincerely,



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